UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

JOHN GAFFIGAN, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	
)	
VS.)	Case No. 4:10CV00503 ERW
)	
AT&T MOBILITY, LLC,)	
)	
Defendant.)	

ORDER

IT IS HEREBY ORDERED that Defendant's Motion to Continue Stay of Case [doc. #22] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Default Judgment [doc. #33] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike Defendant's Motion to Compel Arbitration and Dismiss, or in the Alternative, to Continue Plaintiff's Response Date [doc. #36] is GRANTED, in part. Plaintiff's Response to Defendant's Motion to Compel Arbitration and Dismiss shall be filed by <u>August 6, 2010</u>. Plaintiff's arguments in support of striking Defendant's Motion to Compel Arbitration and Dismiss are held in abeyance.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand [doc. #9] is **DENIED**. Dated this <u>26th</u> Day of <u>July</u>, 2010.

E. RICHARD WEBBER

UNITED STATES DISTRICT JUDGE